

Notice of Allowability	Application No.	Applicant(s)	
	10/589,900	TARRERIAS, ERIC	
	Examiner	Art Unit	
	BHARAT C. PATEL	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/11/11.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1,4,5,7 and 10-21.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/6/11</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

/Ghassem Alie/
Primary Examiner, Art Unit 3724

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Wendy M. Slade (Reg. # 53604) on 9/6/11.

The application has been amended as follows:

Specification:

- In line 6 of page 4, "a flat extending" has been changed to --a flat horizontal surface extending--.
- In line 9 of page 6, "a flat 4 that" has been changed to --a flat horizontal surface 4 that--.
- In line 8 of page 8, "a flat 4" has been changed to --a flat horizontal surface 4 --.

Claims:

- In Claim 1, "1. (Currently amended) A method of fabricating a blade ...an industrial tool, the" of lines 1-3 has been changed to --1. (Currently amended) A method of fabricating a blade for at least one of a knife, a pair of scissors, a saw, or a household appliance, the--.

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- In Claim 1, “a flat extending” of line 12 has been changed to --a flat horizontal surface extending--.
- In Claim 10, “10. (Currently amended) A blade for a cutting tool,....the blade having at least” of lines 1-3 has been changed to --10. (Currently amended) A blade for at least one of a knife, a pair of scissors, a saw, or a household appliance, the blade having at least--.
- In Claim 10, “a flat extending” of line 12 has been changed to --a flat horizontal surface extending--.
- In Claim 12, “12. (Currently amended) A cutting tool,...., having at least one blade and made by a process” of lines 1-3 has been changed to --10. (Currently amended) A cutting tool for at least one of knife, a pair of scissors, a saw, or a household appliance, having at least one blade and made by a process--.
- In Claim 10, “a flat extending” of line 9 has been changed to --a flat horizontal surface extending--.

Allowable Subject Matter

2. Claims 1, 4-5, 7 and 10-21 are allowed.

Reasons for Allowance

3. The following is an examiner’s statement of reasons for allowance: The claims are allowable because prior art fails to teach a method of fabricating a blade for at least one of a knife, a pair of scissors, a saw, or a household appliance with a step of projecting a make-up material in the form of a powder onto one of the at least three free

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edges wherein said one of the at least three free edges is formed by a flat horizontal surface extending perpendicularly to a main plane of the blade body, the hardness of the make-up material being greater than the hardness of the blade body wherein said powder contains at least two elements as one to be high strength wear resistant, in combination with other limitations set forth in claims 1, 10 & 12, and with the other limitations of the dependent claims.

Re claims 1, 10 and 12, Droese discloses a blade for a cutting tool and a method of fabricating a blade for a knife, the blade being made of steel or an alloy of stainless steels and having at least one cutting edge extending over at least a portion of a periphery thereof per Fig. 1, per col. 5, lines 20-26, the method comprising the following steps: a) making a blade body possessing at least three free edges provided in a vicinity of the at least one cutting edge 6 per Figs. 1-8; b) projecting a make-up material at 7 in the form of a powder onto one of the at least three free edges per col. 3, lines 62-67 and col. 4, lines 1-5, the hardness of the make-up material being greater than the hardness of the blade body per col. 3, lines 46-61; wherein said powder contains at least two elements as one to be high strength wear resistant alloy e.g. titanium, vanadium, molybdenum, and second as high melting carbides e.g. carbides, nitrides or oxides, connected together per col. 3, lines 45-60; c) subjecting the make-up material powder to a laser beam at the same time as projecting the make-up material powder so as to form a bead or strip on at least a portion of one of the at least three free edges so that the bead or strip melt instantaneously, with blade body to form an intimate bond per col. 3, lines 62-67, col. 4, lines 1-5, and col. 5, lines 30-35; d) after said intimate bond is

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formed, performing a hardening and tempering operation on the blade body and the bead or strip; wherein said blade body is fitted with the bead or strip of the make-up material per col. 4, lines 6-17; and e) forming the cutting edge in the bead or strip of make-up material so as to form a sharp edge per col. 4, lines 25-33.

However, Neither Droese nor Khnudse nor combination thereof teaches a method of fabricating a blade for a knife with a step of projecting a make-up material in the form of a powder onto one of the at least three free edges wherein said one of the at least three free edges is formed by a flat horizontal surface extending perpendicularly to a main plane of the blade body, the hardness of the make-up material being greater than the hardness of the blade body wherein said powder contains at least two elements as one to be high strength wear resistant.

None of these and the prior arts of record references by themselves or in combination with the other prior art cited teach the claimed invention set forth in claims 1, 10 and 12.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon, as previously submitted, is considered pertinent to applicant's disclosure. Knudsen (5724868), and Korb (2003/0019332) teach machined blade body for receiving added cutting material.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BHARAT C. PATEL whose telephone number is (571)270-3078. The examiner can normally be reached on Monday-Friday, alt. Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 24502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bharat C Patel/
Examiner, Art Unit 3724
9/7/11.

/Ghassem Alie/
Primary Examiner, Art Unit 3724